

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY)
AVERAGE WHOLESALE PRICE)
LITIGATION)
THIS DOCUMENT RELATES TO:)
ALL CLASS ACTIONS)

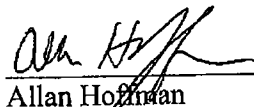
MDL NO. 1456
CIVIL ACTION NO.
01-12257

Judge Patti B. Saris

**STIPULATION IN COMPLIANCE WITH THIS
COURT'S ORDER OF NOVEMBER 22, 2005**

Pursuant to agreement, and in compliance with this Court's Order of November 22, 2005, the parties, Plaintiffs and Boehringer Ingelheim Corporation, Ben Venue Laboratories, and Bedford Laboratories ("The Boehringer Group"), hereby stipulate that the allegations in the Third Amended Consolidated Class Action Complaint against The Boehringer Group were included for the purpose of preserving plaintiffs' appellate rights and that no answer, response, or discovery as a party-defendant is required of The Boehringer Group unless and until the consolidated class action allegations against The Boehringer Group are successfully appealed by Plaintiffs, reversed and remanded to the trial court.

Respectfully submitted,


Allan Hoffman
Hoffman & Edelston
45 West Court Street
Doylestown, PA 18901
(215) 230-8043 (Telephone)
(215) 230-8735 (Facsimile)
ahoffman@hofedlaw.com

Counsel for Plaintiffs

/s/ Darrell A. H. Miller
Paul J. Coval
Douglas L. Rogers
Darrell A. H. Miller
VORYS, SATER, SEYMOUR AND
PEASE LLP
52 East Gay Street, P.O. Box 1008
Columbus, Ohio 43216
(614) 464-6400 (Telephone)
(614) 464-6350 (Facsimile)
pjcoval@vssp.com
dlrogers@vssp.com

dahmiller@vssp.com

*Counsel for Boehringer Ingelheim Corp.,
Ben Venue Laboratories, Inc./Bedford
Laboratories*

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was caused to be served on all enrolled counsel pursuant to the Court's Case Management Order 2 on December 5, 2005.

/s/ Darrell A. H. Miller
Darrell A. H. Miller